- 4. (ONCE AMENDED) The method according to claim 1, wherein an effective amount of S(-) pindolol, or its salts, is administered in a pharmaceutical dosage form that permits rapid release of the S(-) pindolol.
- 5. (ONCE AMENDED) The method according to claim 1, wherein an effective amount of the S(-) pindolol, or its salts, is administered in a pharmaceutical dosage form that releases the S(-) pindolol in a slow or controlled fashion.
- 6. (ONCE AMENDED) The method according to claim 1, wherein the gastrointestinal diseases are selected from non-ulcerative dyspepsia, irritable bowel syndrome, or chemotherapy-associated disorders of motility.

Please enter the following claim:

7. (NEW) The method according to claim 6, wherein the chemotherapy-associated disorders of motility include nausea.

<u>REMARKS</u>

With entry of this amendment, claims 1, 2, and 4-7 are pending in this application. Claim 3 has been canceled and claim 7 has been added. Support for these amendments and the new claim is found throughout the originally filed specification, for example, on page 5, lines 23-24 and page 6, lines 5-15. No new matter has been introduced.

As noted by the Examiner, the prior art does not teach, disclose, or fairly suggest the use of S(-) pindolol to prevent or treat a gastrointestinal disease. (See Examiner's Amendment mailed January 14, 2003, page 2.) The presently amended claims are limited to methods of treating gastrointestinal diseases with S(-) pindolol. Thus, the present claims remain in condition for allowance.

1300 1 Street, NW Washington, DC 20005 202.408.4000 Fax 202.408.4400 www.finnegan.com

DUNNER些

FINNEGAN

HENDERSON FARABOW GARRETT &